

1 A Well, Paul and Jane I knew, but not Matthew.

2 Q Do you know why the account in the Bank of
3 California was closed on October 21, 1991?

4 A No, I don't recall.

5 Q The question I want to ask you is: Do you know
6 why the account at the Bank of California was closed on
7 April 20, 1992?

8 A I do not recollect.

9 Q When you say you don't recollect, does that
10 mean you were told at one time and have forgotten?

11 A That means I could have been told and
12 forgotten, yes.

13 Q Now I want to ask you about another account at
14 the Bank of California. Do you know why that account was
15 closed on April 20, 1992?

16 A No, sir.

17 Q As far as the Bank of California account number
18 204-413-382 is concerned, did you know until this instant
19 that the signatories on that account were Paul Crouch, Jane
20 Duff, Matthew Crouch and Charlene Williams?

21 A No, sir.

22 Q Same question, did you know that the
23 signatories on that same account from November 8th until the
24 account was closed on January 2nd, 1992 were Paul Crouch,
25 Jane Duff and Matthew Crouch?

1 A No, sir.

2 Q Do you know why the account was closed on
3 January 2nd?

4 A I do not recollect.

5 Q Another account at the Bank of California I
6 want to ask you about, account number 204-205-566. Did you
7 know until this instance that Phillip Crouch, Allan Brown,
8 Matthew Crouch and Charlene Williams were authorized
9 signatories on that account?

10 A Do not recollect that either.

11 Q Do you know why that account was closed on
12 April 20, 1992?

13 A No.

14 Q Now, there was an account at the United States
15 National Bank of Oregon. Did you know until this instant
16 that Jim McClellan, Mark Fountain, Phillip Crouch and
17 Charlene Williams were authorized signatories on that
18 account?

19 A No.

20 Q Did you know that there was an account at the
21 NCNB Texas National Bank and the authorized signatories were
22 Paul Crouch, Jane Duff, Phillip Crouch, Charlene Williams,
23 Darlene Eve and Tim R. Ullery?

24 A I don't recollect any of that information.

25 Q Do you know why that account was closed on

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1 December 16, 1991?

2 A No.

3 Q Do you know who Darlene Eve is or was?

4 A I don't know who she is personally, no.

5 Q Have you ever heard of her name?

6 A Charlene Williams, I've heard her name.

7 Darlene Eve, I don't recollect.

8 Q How about Tim R. Ullery?

9 A No.

10 Q Do you know why either one of those persons
11 would have been authorized signatories on an NMTV account?

12 A They could have explained it to me, but I don't
13 recollect.

14 Q Now, there was an account at the First
15 Interstate Bank of California. There were three accounts.
16 Did you know that from December 1991 to January 25, 1992
17 that Paul Crouch, Jane Duff and Matthew Crouch were
18 signatories?

19 A (No audible response.)

20 Q You did not know?

21 A They could have gave me all this information,
22 but I definitely didn't read it.

23 Q Did you know in January 1992 there was an
24 account at that First Interstate Bank where Paul Crouch,
25 Jane Duff, Matthew Crouch, Terrence Hickey and Allan Brown

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1 were signatories?

2 A No, sir.

3 Q Are you now surprised to learn that so many
4 persons were signatories on various NMTV accounts?

5 A No, sir.

6 Q Do you have any understanding or explanation of
7 why all of these persons would have been signatories and you
8 weren't a signatory?

9 A No, I don't.

10 Q It hasn't occurred to you, then? That's not
11 unusual?

12 A Not to me. People that know me know I'd rather
13 not sign anything, so they know where I'm at, same thing
14 that I don't like to talk on the phone, so --

15 MR. COHEN: Maybe we could take a five-minute break
16 now.

17 (Recess taken.)

18 MR. COHEN: Back on the record.

19 Q Pastor, I want to ask you a few questions about
20 the bylaws of NMTV, which I understand you've spent about 15
21 minutes or so looking at. Is that an accurate statement?

22 A Yes, sir.

23 Q So I take it you don't consider yourself to be
24 familiar with or knowledgeable about those bylaws?

25 A That's true. 74

1 Q But you have seen the document, you were given
2 your own copy, I take it?

3 A Yes. I've skimmed.

4 Q Do you know what the name of NMTV was before it
5 was changed?

6 A I don't recall.

7 Q Are you aware that it had a previous name?

8 A No, I don't even recall that.

9 Q No one ever told you that?

10 A They might have, but I don't recall.

11 Q Well, accept as a true statement that prior to
12 1987, I think, NMTV was named Translator TV, Inc., and then
13 the name was changed, so the bylaws were those of Translator
14 TV, Inc.

15 And my first question is: Do you know now or
16 did you know while you were an officer and director where
17 the principal office of NMTV was?

18 A No, sir.

19 Q Do you know how often NMTV elects its officers?

20 A No, sir.

21 Q Do you know who elected NMTV's officers?

22 A I don't know any details like that, no.

23 Q Do you know whether under NMTV's bylaws it was
24 authorized to have any committees?

25 A No, sir.

1 Q Do you know who the officers of the corporation
2 were to be under the bylaws of the corporation?

3 A No, sir.

4 Q And I take it that you don't know what your
5 duties were as vice president as set forth in the bylaws?

6 A Not as set forth in the bylaws.

7 Q Well, what was your understanding of your
8 duties as vice president?

9 A To study about the possibility of acquiring
10 news stations, to see that the stations that we had were
11 promoting things that had to do with all different kinds of
12 cultures and reaching out to minorities of all sorts,
13 programming for them, to hire and to get people involved in
14 the work force that were minorities.

15 Q I want to give you time to complete your
16 answer.

17 A Just kind of the visionary picture of that was
18 at least all I wanted to receive from the position.

19 Q Who were the officers while you were a board
20 member and an officer?

21 A Paul Crouch, Jane Duff and myself.

22 Q What office did Paul Crouch hold?

23 A President.

24 Q What office did you hold?

25 A Vice president.

1 Q And what office did Jane Duff hold?

2 A Secretary.

3 Q Do you know what the duties under the bylaws
4 were of the president?

5 A No, I couldn't tell you.

6 Q Do you know what duties Paul Crouch actually
7 performed as president?

8 A In our meetings we had together, it was done
9 kind of cooperatively, and we just talked and researched,
10 considered stations, things like that. I don't know what
11 his exact duties were.

12 Q Do you know what Jane Duff's duties were as set
13 forth in the bylaws?

14 A Not according to the bylaws.

15 Q Do you know what Jane Duff's duties were?

16 A Yeah, we gave her --

17 Q I'm talking about duties as secretary. And I
18 was talking about Paul Crouch's duties as president.

19 A Duties as secretary, we had her doing a lot of
20 footwork and calling about stations, about trade shows,
21 about seeking out everything that was going on as far as in
22 relationship to National Minority TV. I mean, we basically
23 kind of had her doing the footwork.

24 Q Do you have an understanding as to whether her
25 duties as secretary were different from her duties as

1 director?

2 A No, I don't understand any difference.

3 Q And do you have any understanding as to whether
4 Paul Crouch's duties as president were different than his
5 duties as director?

6 A No, sir.

7 Q Do you know whether the bylaws provide for a
8 chief financial officer?

9 A No, sir.

10 Q Accept for a fact that they do. Do you know
11 who carried out the duties of chief financial officer of
12 NMTV while you were a director and a vice president?

13 A No, sir.

14 Q Now I want to ask you a few questions about the
15 minutes of the board of directors and the officers of NMTV.
16 That term is a term you've heard before?

17 A "Board of directors"?

18 Q No, the "minutes." Is that a term you've heard
19 before, or is this the first time you've heard that word?

20 A I've heard it before.

21 Q What is your understanding of the term
22 "minutes," Pastor?

23 A Taking notes of the meeting you have.

24 Q If you will indulge me, walk me through the way
25 meetings actually worked in terms of the taking of minutes.

1 How did it work? In other words, you walked into a room,
2 and here is Jane Duff and Paul Crouch, and you're going to
3 have a meeting?

4 A Right. It was one of those kind of -- I've
5 heard it's Robert's rules of order, "Here we are. We are
6 gathered together," and you make sure everybody does this.

7 Q Did anybody take minutes as the meeting went
8 on?

9 A Yes.

10 Q And who was that?

11 A I either saw Jane Duff taking them -- I saw one
12 time Norm Juggert taking minutes.

13 Q Well, you can accept this. He has testified
14 that he has been at several meetings or he attended several
15 meetings.

16 MR. TOPEL: Well --

17 MR. COHEN: That's perfectly appropriate and proper
18 to do that.

19 MR. TOPEL: There is a sequestration rule. Maybe you
20 might want to consult with Mr. Shook. He may have an
21 interest in the sequestration rule. I don't. I can't
22 object to your sequestration rule, but Mr. Shook may want
23 to.

24 MR. SHOOK: I didn't object. It just caught my
25 attention.

1 BY MR. COHEN:

2 Q He was present at several of the meetings.

3 When he was present, did he take the minutes?

4 A Yeah, I recall him taking minutes too. They
5 might have both even been taking minutes at a couple of the
6 meetings.

7 Q So the minutes were taken of the meeting, and
8 then the meeting was over. Okay.

9 Now, who wrote up or typed up those minutes?

10 A I don't know who actually did the typing of
11 those minutes.

12 Q And then who signed them?

13 A I don't know exactly who signed them.

14 Q You didn't sign them?

15 A I didn't, no.

16 Q Did you see a copy of the minutes before they
17 were signed?

18 A I don't recall if I saw them before they were
19 signed. I just remember getting minutes, and they read the
20 minutes -- like when we'd go to the next meeting, they'd
21 read the minutes from the meeting before. And all the
22 things that I avoided in my life were happening there, I
23 mean, you know, order, they had all that stuff there.

24 Q And I respect what you're saying, because I
25 think you're being serious.

1 A No, it's true.

2 Q I think you were being very serious. Why did
3 you stay on the board if this was going on?

4 A Because I saw the big picture of reaching
5 minorities, of getting minorities involved, of helping out,
6 and I'm just a person who is out there with the minorities
7 all the time, so that was my part. And there is no doubt I
8 didn't get involved in all the little details.

9 Q I understand, and I follow that.

10 So you don't have any recollection as to
11 whether you got copies of the minutes before they were
12 signed?

13 A No.

14 Q Did you ever make any corrections or changes in
15 the minutes?

16 A Others did. I didn't personally.

17 Q Now, we've used the word "draft" here, or I
18 have used the word "draft" in terms of your declaration, an
19 earlier version. That's what I mean by "draft."

20 Do we have a meeting of the minds now about the
21 word "draft," earlier version?

22 A Okay.

23 Q Did you ever see a draft of any minutes, an
24 earlier version?

25 A Of minutes?

1 Q Yes.

2 A In other words, like did somebody send me a
3 draft of minutes from a past meeting?

4 Q Yes.

5 A Yes, I remember --

6 Q Before they were signed.

7 A I don't even recall if they were signed or not.

8 Q What I'm trying to ask you about in my foggy
9 way, and the problem is with me, I'm trying to find out: Do
10 you recall if ever there was a time when you got a draft, an
11 earlier version, and then there was a subsequent version of
12 minutes?

13 A No, I don't recall.

14 Q Now, were you sent copies to your home or
15 office after the minutes were signed?

16 A I remember getting sent copies of our meetings,
17 but I don't know if they were signed or not.

18 Q Do you have a file that your secretary has
19 access to which would have all those documents that you
20 received?

21 A My secretary should have anything or
22 everything, yeah.

23 Q In connection with this proceeding there was
24 filed something called a request for production of
25 documents. Is this the first time you've ever heard of it?

1 A Yes, sir.

2 Q Were you asked or was your secretary asked to
3 search your files to see what documents you had about NMTV?

4 A I think she was asked about documents that we
5 might have. I'm not sure that we knew exactly what they
6 were, what anybody wanted, you know, whether it was minutes
7 or whether it was board meetings or things like that, but
8 anything that we have, we'd produce.

9 Q Who on your side had those discussions? Your
10 secretary or you?

11 A My secretary.

12 Q And do you know with whom she spoke?

13 A No, I'm not sure.

14 MR. COHEN: I'm not being contentious, Mr. Topel, but
15 I'm interested in ascertaining whether anybody on behalf of
16 NMTV or Trinity was -- whether any documents were requested
17 and whether they were produced from this witness.

18 MR. TOPEL: My understanding is that they were
19 requested, and I can't tell you firsthand whether any of the
20 documents in the 30-some-odd thousand that were produced
21 came from that office, but I'm informed that an attempt to
22 comply with the request was made.

23 MR. COHEN: I said to you I wasn't being contentious,
24 but I wanted to know this. Who, to your knowledge, was the
25 person who contacted Pastor Aguilar's secretary?

1 MR. TOPEL: This is not solemn testimony, but for
2 your --

3 MR. COHEN: I said to your knowledge.

4 MR. TOPEL: But for your information, because I don't
5 have firsthand knowledge --

6 MR. COHEN: I understand.

7 MR. TOPEL: -- my understanding is that Mrs. Duff and
8 also Mr. Dunne were in touch with Pastor Aguilar's office
9 about document production.

10 MR. COHEN: Let's go off the record for a second.

11 (Discussion off the record.)

12 MR. TOPEL: Back on the record.

13 In the off-the-record discussion I did inform
14 all who are in the room that I do have a specific
15 recollection now that there were some documents included in
16 the document production that did come from Pastor Aguilar's
17 office.

18 BY MR. COHEN:

19 Q I'm not sure about something you said. Was it
20 your testimony that when you attended meetings of the board
21 of directors that you did get copies of the minutes sent to
22 you, or is that not your testimony?

23 A My recollection is, I think, that minutes were
24 sent and that my secretary told me about them. That's my
25 recollection.

1 Q Now, do you have a recollection of reading the
2 minutes when they were sent to you?

3 A No, sir.

4 Q That wasn't your practice?

5 A No. When I went to the meetings, I heard about
6 them there, so I figured I'd just wait until I got to the
7 next meeting and it would be refreshed.

8 Q Now, did you receive financial statements --
9 again, I want to make sure about my recollection. There are
10 two kinds of financial statements, as I have told you.
11 There were audited ones, and you knew about those auditors?

12 A Right.

13 Q And then there were nonaudited ones, two
14 categories. Did you receive both kinds of financial
15 statements, the audited kind and the nonaudited kind?

16 A Yes.

17 Q And were they sent to you?

18 A No. At the board meeting there.

19 Q Did you review those documents?

20 A I went over them as much as my mind would
21 comprehend financial statements.

22 Q And do you have a recollection of how much time
23 you would spend doing that?

24 A Just at the meeting there, maybe 15, 20
25 minutes, just kind of overviewing the books.

1 Q Now, I may have asked you this question, so I
2 apologize. I asked you about NMTV's accountants, the ones
3 that prepared the audited reports. I may have asked you
4 this. Do you know whether they were Trinity's accountants
5 also, do you know?

6 A Yes, I believe that they were.

7 Q Now, did NMTV have attorneys?

8 A I don't know if they had any hired attorneys,
9 per se, except for the Colby May group. And I'm not sure if
10 it was the whole group or one at a time or that type of
11 thing.

12 Q Did you know if Colby May was paid by NMTV?

13 A I believed he was. I assumed he was. I didn't
14 ever sign a paycheck or do anything like that, but I always
15 assumed he was hired by NMTV, yes.

16 Q Did you ever see any copies of his statements?

17 A No.

18 Q Do you know whether Colby May was Trinity's
19 lawyer as well?

20 A No, sir, I do not know.

21 Q Do you know who agreed with Colby May as to
22 what his fees would be and how they would be billed to NMTV?

23 A No, sir.

24 Q Do you know whether Norman Juggert ever
25 performed any legal services for NMTV?

1 A I don't know if he ever did any actual hired
2 services or anything like that or if he gave an opinion or
3 anything like that, I really don't know.

4 Q And do you know on what basis he was paid?

5 A No, I don't know.

6 Q And do you know who negotiated his
7 compensation?

8 A I don't know.

9 Q Did you ever receive any correspondence to
10 Mrs. Duff from Colby May where you were copied?

11 A Did I ever receive any correspondence from
12 Colby May?

13 Q Colby May's law firm to Mrs. Duff where you
14 were copied.

15 A Where they put the little cc?

16 Q The cc on the bottom.

17 A Yes.

18 Q Do you recall what that was?

19 A I don't recall.

20 Q Do you ever recall receiving copies of
21 correspondence from Colby May's firm directed to Paul
22 Crouch?

23 A I think I have, yes.

24 Q Do you recall what documents those were?

25 A No, I don't.

1 Q Are you familiar with the term "consulting
2 engineer"?

3 A Vaguely.

4 Q What does that term mean to you?

5 A Consultant, somebody who gives you consultation
6 on whatever it is. And an engineer would be somebody who is
7 like the top of the -- somebody who is really good at what
8 they're doing there.

9 Q Well, accept as a fact that NMTV had a
10 consulting engineer who prepared the engineering portions of
11 applications. In fact, the application I showed you had
12 some engineering attached to it which was prepared by a
13 consulting engineer.

14 My question is: Do you know while you were on
15 the board who NMTV's consulting engineers were?

16 A No.

17 Q And do you know where they were located?

18 A No.

19 Q And do you know on what basis they were paid?

20 A No, sir.

21 Q Do you know who negotiated with them the
22 payment of their fees?

23 A I don't recollect any of that.

24 Q Is the name Ben Miller a name that's familiar
25 to you?

1 A Yes.

2 Q Who is Ben Miller?

3 A If I'm not mistaken, he is the engineer that
4 does the building of the stations themselves, puts up the
5 towers -- I imagine they've described his duties and
6 things -- gets permits, kind of like probably what an
7 engineer would be, like the top guy.

8 Q Did he provide services for NMTV?

9 A I don't have recollection of seeing, you know,
10 he was hired to do this and paid to do that.

11 Q Do you have any recollection of any services
12 that he provided for NMTV?

13 A I don't know for sure, no.

14 Q Do you know who Ben Miller works for?

15 A I'm not sure if he is an independent company of
16 himself or anything like that. I know that he builds
17 stations. I'm not sure, though, if he has like his own
18 company, that type of thing, or if he is just hired on by
19 corporations.

20 Q Now, you are aware that NMTV had two full-power
21 television stations, owned two full-power television
22 stations, while you were an officer and director; is that
23 correct?

24 A Right.

25 Q You also know they owned a number of low-power

1 TV stations, right?

2 A Low-power, right.

3 Q Do you know who was the engineer or engineers
4 who dealt with engineering problems arising from the
5 operation of those various stations?

6 A Ben Miller is the name that I remember. But, I
7 mean, I can't guarantee you that he was the one that was
8 hired by NMTV. I don't remember ever signing anything
9 that --

10 Q Do you know on what basis he was paid?

11 A No.

12 Q Is the name George Sebastian familiar to you?

13 A I don't know about that last name Sebastian. I
14 don't think so.

15 Q You've never heard it?

16 A I mean, I may have heard it, but it doesn't
17 ring a bell real quick.

18 Q Do you know if he performed any kind of
19 engineering services for NMTV?

20 A I'm not familiar.

21 Q Is the name Planck Technical Services a name
22 that you've heard, P-l-a-n-c-k?

23 A I don't recall, no.

24 Q You've never heard that before?

25 A I don't think so.

1 Q Do you know whether that company performed any
2 services for NMTV?

3 A No. Mostly this company stuff, if I did hear
4 them, they'd kind of go over my head, because that's just
5 not something I keep in my mind, Planck Technical Services.

6 Q Do you know on what basis they were
7 compensated?

8 A No, sir.

9 Q If I told you that TBN provided site location
10 services, that is, found transmitter sites and tied those
11 sites up for NMTV's use, worked out agreements with the
12 landowners, that kind of thing, is this the first time you
13 ever heard that?

14 A That --

15 Q Is this the first time you've ever heard --

16 MR. TOPEL: I'm going to object on the absence of a
17 predicate. I can't instruct the witness not to do anything,
18 but --

19 MR. COHEN: And I will go back and ask another
20 question.

21 Q Do you know what company or individuals located
22 transmitter sites for NMTV?

23 A No, I don't know.

24 Q And you don't know whether TBN provided those
25 services or not?

1 A I don't know detailed that yes, they did
2 provide. Are you talking about like if TBN knew about a
3 site that NMTV could get, is that what you're talking about?

4 Q No. What I'm talking about is let's suppose
5 for the sake of this discussion that NMTV wanted to file a
6 low-power station and it needed a transmitter site. What
7 I'm trying to find out is: Do you have any knowledge as to
8 who would be the person that would go out and find the
9 transmitter site and who would coordinate that?

10 A No, I don't know details like that.

11 Q You don't know whether Trinity provided those
12 services?

13 A No, I don't know. I could assume and
14 speculate.

15 Q No. Don't do that. I want to show you a
16 document that's entitled "Action by Written Consent of Board
17 of Directors of Translator TV, Inc." And it speaks as of
18 January 26, 1987. It's document 02041.

19 Spend a minute, Pastor, if you would. It's not
20 a lengthy document, spend a minute and review that document.

21 A Okay.

22 Q First of all, have you ever seen that document
23 before this minute?

24 A No, sir.

25 Q Now, that document predates the time you came

1 on board as a director and an officer. You realize that?

2 A Yes. That's the name you were talking about.

3 Q Right. I'm not trying to confuse you. This
4 document speaks as of January 26, 1987.

5 My question is: Insofar as the subject matters
6 of this document are concerned, are you aware whether this
7 document, whether the provisions of this document, were
8 still in effect while you were an officer and a director of
9 NMTV? I don't want to confuse you.

10 A I don't know.

11 Q You don't know, okay.

12 First of all, is the term "accounting agent,"
13 which is used in the third paragraph of this document, is
14 that a term you have any knowledge of or familiarity with?

15 A I'm not real familiar. I have a guess what it
16 is.

17 Q No, I don't want you to guess.

18 Did anybody ever tell you while you were
19 vice president and a director that Trinity was acting as the
20 accounting agent for NMTV?

21 A I don't know if that term was ever used.

22 Q Are you aware that while you were a director
23 and an officer that appeals for funds were made over the
24 facilities of the Odessa and the Portland stations?

25 A Yes, I'm aware of that.

1 Q Do you know the way the procedure worked, that
2 is, when the funds were sought, what happened when the money
3 came in?

4 A I'm not sure how that works, no.

5 Q Do you know how it was distributed or
6 disbursed?

7 A No.

8 Q Do you know who received it?

9 A No.

10 Q Do you know what bank accounts it went into?

11 A No, sir.

12 Q Do you know how it was accounted for?

13 A No.

14 Q Is the term "accounts payable" a term that you
15 have any familiarity with?

16 A Basically.

17 Q What do you understand the term to be, Pastor?

18 A Accounts you've got to pay.

19 Q Who paid the accounts that NMTV had to pay
20 while you were an officer and director?

21 A Whoever was doing the payroll.

22 Q And do you know who that was?

23 A I don't know exactly which person it was that
24 did that.

25 Q Do you know what organization was doing it?

1 A I assumed it was NMTV, is what I assume. And
2 if that paperwork that you just showed me is educating me,
3 then it would be TBN. But I don't know. I just got that
4 from you.

5 Q I'd be glad to let you see it again. I'm not
6 trying to hide this from you. I don't want the record to
7 reflect I took it away from you. If it will help you
8 answer, I want you to have it in front of you.

9 A If this is still in effect, what you showed me
10 here, then it would be empowered to act as an accounting
11 agent for this corporation.

12 Q But you don't know while you were an officer
13 and director, you don't know whether that document was in
14 effect, do you?

15 A No, sir, I don't.

16 Q So we will do it both ways. First we will
17 assume it was, and then we will assume it wasn't.

18 Assuming it was in effect, that means Trinity
19 would have been doing that, right?

20 A Yes.

21 Q And do you know who in Trinity would have been
22 performing the functions of taking care of accounts payable?

23 A Well, according to this document, Terry Hickey
24 or Jane Duff.

25 Q Okay. Now, assume that the document was not in